

AMENDED IN SENATE MARCH 30, 2006

SENATE BILL

No. 1496

Introduced by Senator Dunn

February 23, 2006

An act to ~~amend Section 798.72 of the Civil~~ *add Section 739.1.5 to the Public Utilities Code*, relating to ~~mobilehome parks public utilities~~.

LEGISLATIVE COUNSEL'S DIGEST

SB 1496, as amended, Dunn. ~~Mobilehome parks: escrow~~ *Public utilities: California Alternate Rates for Energy (CARE) Program*.

Existing law creates a program of assistance to low-income electric and gas customers, known as the California Alternate Rates for Energy (CARE) program.

This bill would require electrical and gas corporations to provide information upon request to law enforcement officials for the purpose of verifying compliance with the CARE program and ensuring that residents enrolled in the CARE program are receiving their discounts. The bill would specify that this information includes, among other things, the names and addresses of residents of master-meter mobilehome parks, apartment buildings, or similar residential housing complexes who are enrolled in CARE.

~~Existing law prohibits the management of a mobilehome park from charging a homeowner, an heir, joint tenant, or personal representative of the estate who gains ownership of a mobilehome in the mobilehome park through the death of the owner of the mobilehome who was a homeowner at the time of his or her death, or the agent of that person a transfer or selling fee as a condition of a sale of his or~~

~~her mobilehome within a park unless the management performs a service in the sale.~~

~~This bill would additionally prohibit the management from requiring a homeowner, heir, joint tenant, or personal representative of the estate who gains ownership of a mobilehome in the mobilehome park through the death of the owner of the mobilehome who was a homeowner at the time of his or her death, or the agent of that person, to use an escrow or escrow agent as a condition of the sale of the mobilehome.~~

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 739.1.5 is added to the Public Utilities*
2 *Code, to read:*

3 *739.1.5. Notwithstanding any other provision of law to the*
4 *contrary, electrical or gas corporations shall provide*
5 *information upon request to law enforcement officials, including*
6 *county sealers, for the purpose of verifying compliance with*
7 *Section 739.1 and ensuring that residents enrolled in the CARE*
8 *program are actually receiving the discounts to which they are*
9 *entitled. This information includes, but is not limited to, the*
10 *names and addresses of residents who are qualified and enrolled*
11 *in CARE residing in master-meter mobilehome parks, apartment*
12 *buildings, or similar residential housing complexes.*

13 ~~SECTION 1. Section 798.72 of the Civil Code is amended to~~
14 ~~read:~~

15 ~~798.72. (a) The management shall not charge a homeowner,~~
16 ~~an heir, joint tenant, or personal representative of the estate who~~
17 ~~gains ownership of a mobilehome in the mobilehome park~~
18 ~~through the death of the owner of the mobilehome who was a~~
19 ~~homeowner at the time of his or her death, or the agent of that~~
20 ~~person a transfer or selling fee as a condition of a sale of his or~~
21 ~~her mobilehome within a park unless the management performs a~~
22 ~~service in the sale. The management shall not perform that~~
23 ~~service in connection with the sale unless so requested, in~~
24 ~~writing, by the homeowner, an heir, joint tenant, or personal~~
25 ~~representative of the estate who gains ownership of a~~
26 ~~mobilehome in the mobilehome park through the death of the~~

owner of the mobilehome who was a homeowner at the time of his or her death, or the agent of that person.

(b) The management shall not charge a prospective homeowner or his or her agent, upon purchase of a mobilehome, a fee as a condition of approval for residency in a park unless the management performs a specific service in the sale. The management shall not impose a fee, other than for a credit check in accordance with subdivision (b) of Section 798.74, for an interview of a prospective homeowner.

(c) The management shall not require the homeowner, an heir, joint tenant, or personal representative of the estate who gains ownership of a mobilehome in the mobilehome park through the death of the owner of the mobilehome who was a homeowner at the time of his or her death, or the agent of that person, to use an escrow or escrow agent as a condition of the sale of the mobilehome. Any park rule or regulation that is in conflict with this subdivision shall be void and unenforceable.